GENERAL AND REVENUE SECRETARIAT.

1904
(Miscl.)

File No. 159

Serial Nos. 1–2.

Papers Filed.

Month November 1905.

SUBJECT.

Recovery of the Pudavat amount due to the Sri Chandramouleswara Swami temple at Gudemaranahalli in the Magadi Taluk.

PREVIOUS REFERENCES. LATER REFERENCES.

MUZRAI DEPARTMENT.

OFFICE NOTE.

Proc 159/04

Subject

Recovery of Pudwat amount due to the Sri Chandramouleswaraswami temple at Gudemaranahalli in the Magadi Taluk.

LAST REFERENCE:—

Letter No. M. S. 57 dated 16th December 1904 from the Deputy Commissioner, Bangalore District.

The temple of Sri Chandramouleswaraswami at Gudemaranahalli in the Magadi Taluk is a Muzrai institution endowed with an annual cash grant of Rs 10-2-0 or 0-13-6 per measem

The following amounts are reported to have been endowed by some charitably-disposed persons to the temple as Pudwat for certain services therein to the temple as Pudwat for certain services therein

50-0-0	Oopadhya Surappa for Shamvarnesa Kattle	
20-0-0	Sadar Siddanna for Navarattiri Kattle	
20-0-0	" Nanjappa do-	
25-0-0	Kappayana Nanjappa for Karthikotsava	
14-8-0	Narasi Dyavanna for Sivaratteri Kattle	
150-0-0	Narayanna for Padithara & Desparadhane in the temple.	
279-8-0		

V. D. No. 21 d: 1-2-96

Out of the above sum Rs 80 have been utilized for purchasing an Inam land for the benefit of

D. D. No. d: 4-1-91

and Rs 12-8-0 are outstanding against one settle and the balance of Rs 187/

V

are due from Shanbhogue Srikantha alias Dikkawa of Cpudemarnahalli.

Shanbhogue Srikantaiya deposed before the Amildar on 21-2-03 that he would either execute a bond and have it registered or pay up the amount thrice a week and that he would pay the interest due till then (for 2 years) to the Archak.

The amount not having been paid as agreed to by the Shanbhogue, (he having either skulked away or given evasive replies), the amildar tried his utmost to get the man before him and he again deposed in his usual way, on 6.1.1904 that 3 months time should be allowed and that he would pay up the amount after the harvest season in the month of March (1904).

Komarasetti, who has executed a pro-note in favor of the temple for Rs 25 out of which only Rs 12-8-0 are reported to be yet due, stated that he has paid away (27-2-03) the amount to Sh. Srikantaiya who had the charge of the temple money etc, who had the bond executed in favor of the temple and who paid the amount to him. But the Shanbhogue has made a shara that Rs 12-8-0 towards the pro-note for Rs 25 has been received and entered in the bond and that Rs 12-8-0 is yet due from Komarasetti. [It is interest under the circumstances, that the amount omitted to be entered in the bond from Komarasetti and the shara].

The Amildar issued a notice to Sukkantaya stating that proper steps would be taken if the amount was not paid within a fortnight or a bond at least executed for the amount due. The Shanbhogue coolly makes the remark on the notice "ಅಂಗಡಿಯವರಿಗೆ ತಿಳಿಸಿದೆ" that the contents of the notice have been noted by him.

When the papers were sent up by the Amildar to the Senior Asst. Court, Mr. Chenpiah Chetty for orders, that officer said (in his Yadi No. 476 dated 4th November Novr. 1904 to the Dy. Court) that the institution of suits for the recovery of such amounts would require the services of a competent man and that such men were not to be found & that on that account, the recovery of Sudiwak amounts would become hopeless and submitted for consideration that as the Temples were mukta institutions, the amount due to them (Temples mukta) might be recovered as other Govt. demand such as Land Improvement Loans etc. This view has been upheld by the Deputy Court.

Subd [redacted]

S. G. O. 4/26.12.on Subd. orders

Landmark amounts

that cannot be easily collected from the debtors, are generally recovered by instituting suits in civil Courts, the cost being met from the funds of the respective Institutions.

The question of recovering the Landmark amounts as if it were a revenue demand, was brought forward at the Darwar Representative Assemblies of the years 1887, 1888 1890, 1891, 1897 & 1904 and the reply of Government to the Representative members was as follows:—

Extract:—

In 1887

"It is impracticable for
Government to collect these
arrears as a revenue demand,
when it is of a civil nature".

In 1888

" The remedy suggested
cannot be granted"-

In 1890

" Application to Government-
"Funds of the procedure provided
for the recovery of Revenue.
arrears is impracticable and
in the interests of the public
undesirable"

In 1891

" This is inexpedient-"

In 1897

" This cannot be
accounts to

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inducement to make over land
or debts to temples".

In 1904

or This has been already
or decided to be impossible. It
or amounts to holding out an
or inducement to make over
or land debts to temples".

Some of these endowment
debts were amicably settled
in the Hassan District, when
the late Mr. A. Krishnaswami Iyengar
was the Dy Comr there -
submitted for orders

ks
23/10/05

Draw the D/Comrs attention
to the extracts quoted
above and say that it is
not possible to direct the
collection of the amount
as a Revenue demand -

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At the same time ask the D/Comr to make every endeavour to obtain the amount from Srikantiah or execute a stamped document for the amount at 1 p.c interest per mensem. Upon a report being received as to the result, Govt will consider whether it is necessary to proceed to law for the recovery of the amount —

28/10/05

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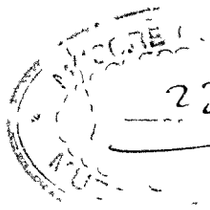
MGCPB—2,500—1-8-05.



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1904.5

From
The Dy. Commissioner
Bangalore Dist.

To
The Secretary to the Govt. of Madras
Revenue Dept.

Dated 16.
Despatched December 1904
Received

General No.
Rev. No. 57

Enclosure No. 16 & 2.

Q. 12-Dec
M/
Subtd. for orders vide Office Note

Regret to sanction
to the recovery of Rs. 187-8-0 due
amount to Chandra Mouleswara
Swami temple at Gude-
marikalli village, Magadi
Taluk from Shanbogue
Srikantiah by such means
as are adopted to recover
the arrears of land revenue.

M.S.S.

Bangalore District,

Deputy Commissioner's Office,

Bangalore 16th December 1904.

From,

D.Devraja Urs,Esquire,

Deputy Commissioner,

Bangalore District.

To,

L.Anantasami Rao,Esquire, B.A.,

Secretary to the Government of Mysore,

Mysore Department. Bangalore.

Sir,

I have the honor to forward, herewith, correspondence ending with Closepet Assistant Commissioner's Yadi No476 of - the 4th November 1904, from which it will be seen that the - Poduval amount of Rs.187-8-0 due to Chandra Mouleshvaraswami temple at Gudemaranahalli village in the Magadi Taluk from Shanbhogue Sreekantiah has not been recovered, although several notices were issued to him. Hence the Assistant Commissioner requests sanction to collect the amount by such means as are adopted to recover arrears of land revenue or loans granted under land improvement regulation as otherwise a recourse to the Civil Court would involve great trouble and expense.

I recommend that Government may be pleased to sanction the same.

I have the honor to be,

Sir,

Your most obedient servant,

Deputy Commissioner,

Bangalore District.

16th.

From

Mysl 159-04

To The Dy: Commr:
Bangalore Dt

Dated 30th November 1905

Despatched

Received

General No. 2103

No.

Enclosure No. 1st 14th

His Letter no 57 dy
16th December 1904 regarding
the recovery of certain Induwat
amount due to the Sri
Chandramouleswaraswami
temple at Gudemarna-
-lalli in the Magadi
Taluk

I have reference to the above
has the honor to forward
herewith extracts of the
replies of Govt to the
Representations received
during the Dasara

Represen

and to state that
it is not possible to
direct the collection of the
amount as a Revenue
demand.

2. The Dy: Comm is
~~[illegible]~~ requested to —
make every endeavour
to obtain the amount
from Srikanthal ~~or~~ to issue ~~execute~~
a stamped document for the
amount at 12% interest
per annum. Upon the
receipt of a report as to
the result, Govt will consider
whether it is necessary to
proceed to Law for the
recovery of the amount

3. Enclosures returned

By Order

4/11/05

Secretary

Ds
2/11/05